

NOTICE OF EMERGENCY RULE REPEAL AND PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. Sections 6172 and 6192

RULE REPEAL AND PROMULGATION: DMR Regulation 95.04 VV, Closed Area No. 50-B, Mill Brook to Springer Creek, West Franklin, promulgated on January 23, 1995, is repealed and replaced with the following rule:

TEXT OF RULE: 95.04 VV, Closed Area No. 50-B, Mill Brook, Springer Creek and West Brook, West Franklin.

1. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores, flats and waters of Taunton Bay, town of Franklin from the following areas:
 1. (Springer Creek)-Inside (northerly) of a line beginning at the southernmost tip of Dwelley Point and extending westerly to the southernmost tip of Julius Darling Point.
 2. (Mill Brook)-Inside (northerly) of a line beginning at the southernmost tip of Hardison Point and extending southwestwardly (about 0.2 mile) to the most southeastern tip of an unnamed point that is located about 600 yards southeast of where Route 182 crosses Mill Brook. This unnamed point is located on the western shore of the cove where Mill Brook enters Taunton Bay.
 3. (West Brook)-Inside (northerly) of a line beginning at a red-painted post on the southernmost tip of the un-named point on the eastern shore of the cove into which West Brook enters Taunton Bay, and then extending westerly to a red-painted post on the western shore of the cove.

Violation of any provision of this regulation shall be a Class D Crime (12 M.R.S.A. Section 6204).

EFFECTIVE DATE: June 5, 2000

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BANGOR DAILY NEWS
June 9, 2000

STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources repeals the emergency DMR Regulation 95.04 VV, Closed Area No. 50-B, Mill Brook to Springer Creek, West Franklin, promulgated on January 23, 1995, and replaces it with a new regulation which closes areas at the mouths of Springer Creek, Mill Brook and West Brook, West Franklin.

Department personnel have sampled the waters and surveyed the closed areas and have determined that the flats and waters at the mouths of Springer Creek, Mill Brook and West Brook are subject to intermittent microbiological pollution and are closed to protect the public health


GEORGE D. LAPOINTE
COMMISSIONER



Maine Department of Marine Resources

Legal Notice of Shellfish Closure Area
For: Franklin
C50B, Mill Brook, Springer Creek, and West Brook; Franklin

